

## MINUTES – DECEMBER 6, 2004

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, December 6, 2004. Members present: Mel O. Battle, Chairman, Larry G. Hamlett, Vice-Chairman, Nathaniel Hall, Jack W. Hooper, Cathy W. Lucas, Kenneth D. Travis, and George W. Ward, Jr. Also present: Jeffrey H. Earp, County Manager, Robert V. Shaver, Jr., County Attorney, Gordon Bendall representing The Caswell Messenger, and Lauren Chesnut representing The Danville Register & Bee. Wanda P. Smith, Clerk to the Board, recorded the minutes.

### MOMENT OF SILENT PRAYER

Chairman Battle opened the meeting with a Moment of Silent Prayer.

### APPROVAL OF MINUTES

Commissioner Travis moved, seconded by Commissioner Hall to approve the minutes of the November 15, 2004 meeting as written. The motion carried unanimously.

### CALL TO ORDER OF ORGANIZATIONAL MEETING

Ms. Wanda P. Smith, Clerk to the Board, called to order the organizational meeting of the Caswell County Board of Commissioners.

### OATHS OF OFFICE

District Court Judge Michael Gentry administered the following Oaths of Office to Mr. Nathaniel Hall, Mr. Larry Gene Hamlett, Mr. Jeremiah Jefferies, and Mr. C. Hester Vernon, III.

NORTH CAROLINA

CASWELL COUNTY

### **COMMISSIONER OF CASWELL COUNTY**

I, **NATHANIEL HALL**, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as Commissioner of Caswell County, so help me God.

S/Nathaniel Hall

**Nathaniel Hall**

Subscribed and sworn to  
before me this 6<sup>th</sup> day of  
December, 2004.

S/Mike Gentry

District Court Judge  
Title

NORTH CAROLINA

CASWELL COUNTY

**COMMISSIONER OF CASWELL COUNTY**

I, **LARRY G. HAMLETT**, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as Commissioner of Caswell County so help me God.

S/Larry G. Hamlett  
**Larry G. Hamlett**

Subscribed and sworn to  
before me this 6<sup>th</sup> day of  
December, 2004.

S/Mike Gentry

District Court Judge  
Title

NORTH CAROLINA

CASWELL COUNTY

**COMMISSIONER OF CASWELL COUNTY**

I, **JEREMIAH JEFFERIES**, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as Commissioner of Caswell County, so help me God.

S/Jeremiah Jefferies

**Jeremiah Jefferies**

Subscribed and sworn to  
before me this 6<sup>th</sup> day of  
December, 2004.

S/Mike Gentry

District Court Judge

Title

NORTH CAROLINA

CASWELL COUNTY

**COMMISSIONER OF CASWELL COUNTY**

I, **C. HESTER VERNON, III**, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and I will faithfully discharge the duties of my office as Commissioner of Caswell County, so help me God.

S/C. Hester Vernon, III

**C. Hester Vernon, III**

Subscribed and sworn to  
before me this 6<sup>th</sup> day of  
December, 2004.

S/Mike Gentry

District Court Judge  
Title

(The Board held a brief recess).

#### ELECTION OF CHAIRMAN

The Clerk to the Board opened the floor for nominations for Chairman of the Caswell County Board of Commissioners.

Commissioner Travis moved, seconded by Commissioner Ward to nominate Nathaniel Hall as Chairman of the Caswell County Board of Commissioners.

Commissioner Travis moved, seconded by Commissioner Ward that nominations for Chairman be closed. The motion carried unanimously.

The Clerk to the Board announced that by acclamation, Nathaniel Hall was elected Chairman of the Caswell County Board of Commissioners.

Chairman Hall presided over the remainder of the meeting.

#### ELECTION OF VICE-CHAIRMAN

Chairman Hall opened the floor for nominations for Vice-Chairman of the Caswell County Board of Commissioners.

Commissioner Hamlett moved, seconded by Commissioner Travis to nominate George W. Ward, Jr. as Vice-Chairman of the Caswell County Board of Commissioners.

Commissioner Jefferies moved, seconded by Commissioner Vernon that nominations for Vice-Chairman be closed. The motion carried unanimously.

Chairman Hall announced that by acclamation, George W. Ward, Jr. was elected Vice-Chairman of the Caswell County Board of Commissioners.

### CHAIRMAN'S COMMENTS

Chairman Hall stated that he would like to acknowledge the service of Mel Battle and Cathy Lucas to the Caswell County Board of Commissioners, which was followed by a round of applause.

### APPROVAL OF BONDS FOR PUBLIC OFFICIALS

Commissioner Travis moved, seconded by Commissioner Ward to approve the following Bonds for Public Officials. The motion carried unanimously.

#### BONDS FOR PUBLIC OFFICIALS

Delores Dameron, Register of Deeds	\$ 25,000
Thomas Bernard, Tax Collector	\$ 50,000
Thomas Bernard, Delinquent Tax Collector	\$ 25,000
Sheriff	\$ 5,000
Finance Office	\$100,000
County Coroner	\$ 2,000
Blanket Bond	\$ 20,000*

### APPROVAL OF AGENDA

Commissioner Jefferies moved, seconded by Commissioner Hamlett to approve the agenda as presented. The motion carried unanimously.

### APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the Consent Agenda as presented. The motion carried unanimously.

The following items were included on the Consent Agenda:

1) <u>Monthly Tax Report for October, 2004</u>	
Total Amount of Taxes Collected	\$881,798.30
Tax Maps/Cards	\$ 62.25
County Maps	\$ 27.65
Beer License	\$ 30.00
2) <u>Monthly EMS Billing Report for October, 2004</u>	
Total Billed	\$ 38,707.00
Total Collected	\$ 20,195.12
Total Claims Filed with Medicare	46
Total Claims Filed with Medicaid	13
Total Adjustments Private Pay	\$ 1,010.00
Total Adjustments Medicare/Medicaid	\$ 7,239.61

- 3) Budget Amendment No. 9
- 4) Budget Amendment No. 10-DSS

### PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

Mr. Charles Burke came before the Board and stated that he is present regarding the offer from P&D Automotive to purchase property in Pelham that is owned by Caswell County. Mr. Burke informed the Board that he has found that all those in the Pelham area being affected by the possible expansion of P&D Automotive are opposed to it. Mr. Burke stated that recently the Building and Grounds Committee reported that the offer from P&D was withdrawn and the current offer is now the same. Mr. Burke asked why the offer is more enticing today than one month ago. Mr. Burke noted that the opposition to this sale is even stronger today than before. Mr. Burke stated that even P&D Automotive admits in its proposal that its operation is not aesthetically pleasing to the Pelham community. Mr. Burke added that this is glaringly evident from the front of the old Pelham School, the Pelham Community Center, and even more importantly, from the proposed I-785 four-lane highway. Mr. Burke shared with the Board pictures supporting his statements. Mr. Burke stated that P&D Automotive is not, and never has been, in compliance with the local ordinances that they were to buffer their operation from public view. Mr. Burke added that if the County is in the business of promoting economic development, then it should require this effort to be a clean, environmentally safe, and aesthetically pleasing operation which enhances property values. Mr. Burke stated that it would be regrettable if an unforeseen environmental mishap should occur, and without zoning to protect the County, he did not know what the consequences would be. Mr. Burke stated that he is asking in the strongest terms that the Board of Commissioners stand with the people who elected them and deny the offer from P&D Automotive, and if this is not the case, he would like to reserve the right to bring additional facts and remarks to the Board's attention in the foreseeable future to substantiate their position.

### APPOINTMENT OF PTCOG DELEGATE

Chairman Hall stated that he is currently Caswell County's delegate to the Piedmont Triad Council of Governments Board of Delegates and is also serving as Chairman of that Board. Chairman Hall added that he would appreciate the opportunity to continue to serve in this capacity. Commissioner Jefferies moved, seconded by Commissioner Hooper to reappoint Chairman Hall as the Board's delegate to the Piedmont Triad Council of Governments Board of Delegates. The motion carried unanimously.

## BOARDS AND COMMITTEES

Chairman Hall requested that each Board member review the list of Boards and Committees and to let him know before the Board's next meeting of any preferences of Boards or changes in current appointments.

### PUBLIC HEARING – CASWELL COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

Chairman Hall declared the public hearing open to receive comments on the proposed Caswell County Multi-jurisdictional Hazard Mitigation Plan.

Mr. Mike Cusimano, County Planner, came before the Board and stated that in June, 2002, the Board of Commissioners entered into the National Flood Insurance Program. Mr. Cusimano added that part of the requirement for entering into this program was that the County develop a Hazard Mitigation Plan. Mr. Cusimano informed the Board that Federal and State legislation has been passed that requires jurisdictions that plan to seek disaster relief funds from FEMA and the State of North Carolina in the event of natural disasters to have a Hazard Mitigation Plan in place. Mr. Cusimano stated that he has been in the process of preparing the Hazard Mitigation Plan for the last two years and it is now before the Board for its consideration. Mr. Cusimano reviewed each Section of the Plan and noted the text edits and amendments that were identified by the Town Councils of Yanceyville and Milton. Mr. Cusimano stated that upon adoption of the Plan, it will be sent to FEMA for final approval and once it is granted, the County will be covered should a disaster occur.

There being no public comments, Chairman Hall declared the public hearing closed.

Commissioner Hooper moved, seconded by Commissioner Hamlett to table this issue for further discussion and to be placed on the Board's December 20<sup>th</sup> agenda. The motion carried unanimously.

### SOLID WASTE CONVENIENCE CENTER CONTRACTS

Mr. Jeff Earp, County Manager, reported that at the November 1, 2004 meeting, the Board approved the contract form for the County's Solid Waste convenience centers. Mr. Earp provided the Board with contracts for eight of the nine convenience center sites for consideration and execution. Mr. Earp noted that the Board had asked that he collect information concerning possible relocations for the Prospect Hill Convenience Center site. Mr. Earp reported that he has advertised for interested persons to contact him in writing expressing their desire to host a convenience center facility in the Prospect Hill area. Mr. Earp informed the Board that he received four responses of interest for the Hightowers/Prospect Hill area by the December 1<sup>st</sup> deadline and he has instructed the Solid Waste Director to evaluate each site and to gather information concerning cost of relocation and site prep for each of the facilities. Mr. Earp stated that he would present this information to the Board at its December 20<sup>th</sup> meeting.

Chairman Hall noted that two of the eight contracts had written notations on them by the operator. The County Attorney stated that the modifications were not significant and he had no problem with them

After further discussion, Commissioner Ward moved, seconded by Commissioner Vernon to approve the eight solid waste convenience center contracts as presented. The motion carried unanimously.

#### OFFER TO PURCHASE FROM BILL DOUGHERTY OF P&D AUTOMOTIVE

The County Manager brought before the Board an offer from Mr. Bill Dougherty of P&D Automotive to purchase approximately 20.62 acres in the Pelham Township located off of US Hwy 29.

Commissioner Hamlett moved, seconded by Commissioner Ward that this item be tabled.

Commissioner Hamlett stated that he would like for the County Manager to meet with Danville officials concerning extending water and sewer to this property.

Commissioner Jefferies stated that he was on the Board when this property was purchased and added that it is a prime piece of property. Commissioner Jefferies noted that when the Board purchased the property it was valued at approximately \$100,000 - \$200,000. Commissioner Jefferies agreed that this item needed to be tabled.

Upon a vote of the motion, the motion carried unanimously.

#### COUNTY MANAGER'S REPORT

Mr. Jeff Earp, County Manager, reported that earlier this year the Board of Commissioners adopted the official County Slogan and he has been working to integrate that slogan into as many areas of County operations as possible. Mr. Earp stated that the Board instructed him to begin the process of developing signs for the entrances into the County along the State highways. Mr. Earp presented three proposed signs for the Board's consideration. Mr. Earp stated that each sign is different in that one represents the County Seal as it is registered with the NC Secretary of State, the second represents the colors as shown on the County flag, and the third represents the original and actual colors of the Historic Courthouse. Mr. Earp stated that the two signs that have colors would cost approximately \$183 each and the sign without the colors would cost approximately \$60 - \$120 each. Mr. Earp added that fourteen signs would be needed to be placed along the following roadways: Hwy 86 North and South, Hwy 158 East and West, Hwy 119 North and South, Hwy 62 North and South, Hwy 150 East, Hwy 49 West, Hwy 57 West, Hwy 700 East, and Hwy 87 North and South. Mr. Earp informed the Board that he is currently working with the NC Department of Transportation to obtain the right-of-way encroachment agreement for non-utility encroachments for each of these highways. After further discussion, Commissioner Ward moved, seconded by Commissioner Travis to approve the sign which includes the original and actual colors of the Historic Courthouse. The motion carried unanimously.



Mr. Earp presented a request from the Recreation Director to build an outdoor basketball court on a vacant lot across from the Sheriff's Office. Mr. Earp stated that members of the Recreation Board have been approached by citizens of Caswell County concerning the need for an outdoor basketball court. Mr. Earp added that Sheriff Michael Welch has been informed of this proposal and approves of the process to build these courts in front of the Sheriff's Office. Mr. Earp stated that the court would be 50' x 40' and made of asphalt with an estimated cost of \$5,460 and would also include a gravel parking lot at a cost of \$1,500. Mr. Earp added that the estimated cost of basketball goals would be \$958 with a total estimated cost of \$7,918 for the project. Mr. Earp stated that there is a need for outdoor recreational facilities such as this basketball court, but did not agree with the location and was concerned that funds in the amount of approximately \$8,000 are being requested in the middle of the budget year. Chairman Hall stated that he thought it would be advisable to defer this issue to the Building and Grounds Committee to review this request and determine a possible location. Chairman Hall added that the Board could discuss the budgetary issues during its budget deliberations.

Mr. Earp reported that the Board received a Jail Inspection Report at its November 1, 2004 meeting which noted two items that would require corrective action. Mr. Earp stated that the first item would be the installation of smoke fans and the second would be the replacement of a plate glass window looking into the Evidence Room on the bottom floor of the Jail. Mr. Earp added that the Sheriff is currently obtaining cost estimates for these two items and these issues would be brought before the Board at a later date.

Mr. Earp proposed that the Board consider revising its January meeting schedule. Mr. Earp stated that the first meeting in January is immediately after the holiday season and the second meeting is the Martin Luther King, Jr. holiday. Mr. Earp added there are five Mondays in January and if it is the Board's wishes, the schedule could be revised for the Board to meet on the second and fourth Mondays in January, which would be January 10<sup>th</sup> and 24<sup>th</sup>. After discussion, Commissioner Jefferies moved, seconded by Commissioner Hamlett that the Board's January meeting schedule be revised and that the Board meet on January 10 and 24, 2004. The motion carried unanimously.

Mr. Earp reported that the Operator of the License Plate Agency in Caswell County has requested that the Board be made aware that the office will be closed on December 23, 24, 27, and 28, 2004.

Mr. Earp reported that the Board has been extended an invitation from the Board of Education to attend a luncheon on Monday, December 13, 2004, with a time and location to be determined at a later date.

#### ANNOUNCEMENTS/QUESTIONS

Commissioner Hamlett questioned the status of rock being placed at the Milton Solid Waste Convenience Center site. Mr. Earp answered that as soon as the weather permitted, a load of rock would be placed at this site.

### CLOSED SESSION

Commissioner Hamlett moved, seconded by Commissioner Jefferies that the Board enter into closed session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)) and to instruct the public body's staff concerning the position to be taken in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease (NCGS 143-318.11(a)(5)). The motion carried unanimously.

### REGULAR SESSION

Commissioner Travis moved, seconded by Commissioner Hamlett that the Board resume regular session. The motion carried unanimously.

### BOARD RETREAT

Chairman Hall instructed the Clerk to the Board to poll each Commissioner as to a possible date in January to schedule a Board Retreat.

### THE ADJOURNMENT

At 8:15 p.m. Commissioner Travis moved, seconded by Commissioner Vernon to adjourn the meeting. The motion carried unanimously.

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Wanda P. Smith  
Clerk to the Board

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Nathaniel Hall  
Chairman

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